

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ADIL SHAFI.,

Counter-Plaintiff/ Third Party Plaintiff,

v.

FREDERICK WEIDINGER and
BRAINTECH, INC.,

Third Party Defendant/ Counter-Defendant.

Hon. Victoria A. Roberts

Case No. 09-10454

ORDER

On June 3, 2011, Braintech filed a motion in limine to preclude Shafi from introducing the Share Purchase Agreement (SPA) into evidence at trial. (Doc. 108). Shafi responded that the Employment Agreement is incorporated by reference and integrated into the SPA. Shafi says the notice provision of the SPA applies to the Employment Agreement.

The issues Shafi raises in his response are disputed issues of law which have not been fully briefed or previously decided by this Court.

Braintech is directed to file a reply to Shafi's response. Braintech must address Shafi's arguments regarding the relationship between the Employment Agreement and the SPA, and the application of the SPA notice provision to the Employment Agreement. Braintech must also address what remedy is appropriate should a jury find that Shafi was terminated for "good cause," but without "notice." Braintech is ordered to file this reply by **noon on Friday, June 17, 2011.**

Shafi is directed to file a sur-reply to Braintech's reply. Shafi must address Braintech's arguments, including those disputed issues of law identified in this Order.

Shafi is ordered to file this sur-reply by **noon on Monday, June 20, 2011**.

The briefs must comply with all local rules. **Relevant passages of exhibits must be highlighted on the Judge's courtesy copy.**

No extensions to these dates will be allowed.

IT IS ORDERED.

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: June 14, 2011

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on June 14, 2011.

s/Linda Vertriest

Deputy Clerk